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November 24, 2021

**Via Email and ECF**

Honorable Ronnie Abrams  
United States District Court  
Southern District of New York  
Thurgood Marshall United States Courthouse  
40 Foley Square  
New York, NY 10007

**Re: FRHUEB, Inc., v. De Freitas Abdala, et al.  
Civil Action No. 1:21-cv-07395 (SDNY)**

Dear Judge Abrams:

Our firm represents the Defendants in the above-captioned matter. The parties held a teleconference with the Court on November 19, 2021, to discuss scheduling regarding Defendants' Motion to Disqualify and Plaintiff's Request for Emergency Relief [Doc 37]. Two issues were discussed during this call but not resolved: (1) discovery on the motions; (2) and the Dec. 6, 2021, deadline for Defendants to amend their Answer to the Complaint.

As soon as the Court issued its Order [Doc. 37], our firm reached out to Plaintiff's counsel to meet and confer and resolve these two issues without involving the Court. However, Plaintiff's counsel has refused both of Defendants' requests. *See* Exhibits A and B (emails between counsel). We now request the court's guidance, through a conference call or by order, to address these two issues. Due to time constraints, we are making this request for a conference by email instead of filing a motion to extend time and motion to compel.

Regarding discovery, during the Nov. 19 teleconference, Judge Abrams asked the parties if they would need discovery on the motions and we responded affirmatively. Once the Order was issued, we asked Plaintiff's counsel if they would agree to an abbreviated discovery response time to accommodate the Dec. 3 briefing deadline set by the Court. *See* Exhibit A. Plaintiff's counsel responded that they "can't agree to a discovery response timeframe without knowing what the requests are first." *Id.* Defendants diligently prepared and served their limited document requests on November 23, 2021. *See* Exhibit C. Plaintiff's counsel responded today that they object to the requests in their entirety and refuse to produce any documents in response. *See* Exhibit A.

Regarding the amended answer, Defendants request an extension of time, preferably, until after the TRO/PI hearing in January. Plaintiff's counsel has refused to stipulate to this or any extension. *See* Exhibit B. We believe this request is reasonable due to the overlap of this deadline with the briefing schedule set by the Court on the two more urgent matters of disqualification and the TRO/PI request.

November 24, 2021

Page 2 of 2

Since the parties cannot agree on these two issues, Defendants respectfully request the guidance of the Court.

Respectfully Submitted,

A handwritten signature in cursive script, reading "jeannettemcarmadella".

Jeannette M. Carmadella, Esq.

By separate order, this matter is being referred to Magistrate Judge Parker for all general pre-trial purposes, including but not limited to all discovery disputes and for the adjudication of the motion to disqualify that Defendants intend to file. The requests herein shall thus be addressed to Judge Parker.

SO ORDERED.

A handwritten signature in blue ink, consisting of a stylized "R" followed by a horizontal line.

Hon. Ronnie Abrams

11/24/2021

# **EXHIBIT A**

**Jeannette Carmadella**

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**From:** Papalia, Patrick <ppapalia@archerlaw.com>  
**Sent:** Wednesday, November 24, 2021 12:36 PM  
**To:** Jeannette Carmadella  
**Cc:** Arnie Lutzker; Ethan Barr; Stueben, Christian A.; Ethan Barr  
**Subject:** Activity in Case 1:21-cv-07395-RA FRHUEB, Inc v. Sabino De Freitas Abdala et al  
Scheduling Order

Jeannette,

We have reviewed Defendants' first set of document requests. Please be advised that Plaintiff objects to Defendants' first set of document requests in their entirety and will not produce any responsive documents as a result.

First, Judge Abrams' inquiry about whether discovery was needed was limited to the TRO/preliminary injunction. It did not include the disqualification motion as you claim. Most of Defendants' document requests pertain to the disqualification motion – which further demonstrates the baseless and tactical nature behind the motion.

Second, Defendants are not entitled to much of the sought discovery as it is privileged. For the most part, Defendants do not hold an attorney-client privilege with Archer, as the Mehta Family and 7CS Fashion House was Archer's client and has been since 2009. To the extent Archer ever represented Defendants previously where any attorney-client privilege could apply, it was solely in the context of their L-1A visa applications and no other subject matters. Discovery into Defendants' L-1A visa application was not contemplated or authorized by Judge Abrams, and is not a basis for disqualification in any event. While Archer did interact with Defendant Thiago over the years in the course of Archer's representation of the Mehta family, it was solely in Thiago's context of a 7CS employee. Accordingly, those communications (anything not directly involving the L-1A visa applications) are privileged, and Thiago does not hold any privilege as it belongs to the Mehta family.

Third, the scope of discovery as mentioned by the Court should be narrow. Defendants' requests are extremely overbroad and burdensome which is inappropriate for an injunction hearing. In any event, Defendants are not entitled to the information as just described.

Thank you.

**Patrick Papalia, Esq.**

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ppapalia@archerlaw.com  
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**From:** Jeannette Carmadella <[jeannette@lutzker.com](mailto:jeannette@lutzker.com)>

**Sent:** Tuesday, November 23, 2021 2:36 PM

**To:** Papalia, Patrick <[ppapalia@archerlaw.com](mailto:ppapalia@archerlaw.com)>

**Cc:** Arnie Lutzker <[arnie@lutzker.com](mailto:arnie@lutzker.com)>; Ethan Barr <[ethan@lutzker.com](mailto:ethan@lutzker.com)>; Stueben, Christian A. <[cstueben@archerlaw.com](mailto:cstueben@archerlaw.com)>; Ethan Barr <[ethan@lutzker.com](mailto:ethan@lutzker.com)>

**Subject:** [EXT MAIL] RE: Activity in Case 1:21-cv-07395-RA FRHUEB, Inc v. Sabino De Freitas Abdala et al Scheduling Order

Patrick,

A copy of Defendants first set of document requests are attached. They are specifically limited to the Motion to Disqualify and our Opposition to the TRO/PI Motion. We propose a response time of one week to ensure that all relevant documents are received in advance of the Dec. 3 deadline set by the Court. Please let us know if you agree to this shortened response schedule, given the circumstances. We appreciate your cooperation.

Thanks,  
Jeannette

---

**From:** Papalia, Patrick <[ppapalia@archerlaw.com](mailto:ppapalia@archerlaw.com)>

**Sent:** Monday, November 22, 2021 6:35 PM

**To:** Jeannette Carmadella <[jeannette@lutzker.com](mailto:jeannette@lutzker.com)>

**Cc:** Arnie Lutzker <[arnie@lutzker.com](mailto:arnie@lutzker.com)>; Ethan Barr <[ethan@lutzker.com](mailto:ethan@lutzker.com)>; Stueben, Christian A. <[cstueben@archerlaw.com](mailto:cstueben@archerlaw.com)>

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Jeannette:

We can't agree to a discovery response timeframe without knowing what the requests are first. Please send ASAP and we will do our best to work with you. We may or may not serve something limited, now or later.

**Patrick Papalia, Esq.**

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---

**From:** Jeannette Carmadella <[jeannette@lutzker.com](mailto:jeannette@lutzker.com)>

**Sent:** Monday, November 22, 2021 6:20 PM

**To:** Papalia, Patrick <[ppapalia@archerlaw.com](mailto:ppapalia@archerlaw.com)>

**Cc:** Arnie Lutzker <[arnie@lutzker.com](mailto:arnie@lutzker.com)>; Ethan Barr <[ethan@lutzker.com](mailto:ethan@lutzker.com)>; Stueben, Christian A. <[cstueben@archerlaw.com](mailto:cstueben@archerlaw.com)>

**Subject:** [EXT MAIL] FW: Activity in Case 1:21-cv-07395-RA FRHUEB, Inc v. Sabino De Freitas Abdala et al Scheduling Order

Hi Patrick,

We received the court's order today and note that it does not address discovery. We indicated on the call with Judge Abrams that we would need discovery. Are you planning on serving discovery on either motion? We plan to serve our document requests to Plaintiff by the end of the day tomorrow. Would you be amenable to November 30, 2021, as Plaintiff's deadline to respond and deliver documents? Please let us know before 12pm EST tomorrow whether you agree to this schedule. If we do not hear from you by 12pm EST tomorrow, we will seek the court's guidance on this shortened discovery period.

Thanks,  
Jeannette

---

**From:** [NYSD ECF Pool@nysd.uscourts.gov](mailto:NYSD_ECF_Pool@nysd.uscourts.gov) <[NYSD ECF\\_Pool@nysd.uscourts.gov](mailto:NYSD_ECF_Pool@nysd.uscourts.gov)>

**Sent:** Monday, November 22, 2021 3:18 PM

**To:** [CourtMail@nysd.uscourts.gov](mailto:CourtMail@nysd.uscourts.gov)

**Subject:** Activity in Case 1:21-cv-07395-RA FRHUEB, Inc v. Sabino De Freitas Abdala et al Scheduling Order

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U.S. District Court

Southern District of New York

## Notice of Electronic Filing

The following transaction was entered on 11/22/2021 at 3:18 PM EST and filed on 11/22/2021

**Case Name:** FRHUEB, Inc v. Sabino De Freitas Abdala et al

**Case Number:** [1:21-cv-07395-RA](#)

**Filer:**

**Document Number:** [37](#)

### Docket Text:

**ORDER:** Any opposition to Plaintiff's Request for Emergency Relief, Dkt. 12, and any motion to disqualify Plaintiff's counsel shall be filed on or before December 3, 2021. Plaintiff's reply in support of its request for emergency relief and any opposition to the motion to disqualify shall be filed on or before December 9, 2021. Any reply in support of the motion to disqualify shall be filed on or before December 15, 2021. A hearing is to be held on the motion to disqualify on December 21, 2021, at 11:00 a.m. via telephone conference. The parties shall use the dial-in information provided below to call into the conference: Call-in Number: (888) 363-4749; Access Code: 1015508. This conference line is open to the public. A hearing on Plaintiff's request for emergency relief is to be held on January 12, 2022, at 11:00 a.m. in the Thurgood Marshall United States Courthouse, 40 Foley Square, Courtroom 1506. On or before January 5,

**2022, the parties are to file with the Court a joint letter including a list of all witnesses they intend to call, indicating whether they would like such witnesses to testify live or by affidavit on direct examination, and a brief summary of the substance of each witness's testimony. The letter shall also contain a list by each party of exhibits to be offered at the hearing, with an indication by exhibit number as to whether any party objects to the exhibits. The party objecting must include a brief statement that makes clear the basis for its objection and provide any necessary supporting authority. Together with such letter, the parties shall also provide a copy of each of the exhibits. SO ORDERED. Motions due by 12/3/2021. Responses due by 12/9/2021 Replies due by 12/15/2021. Case Management Conference set for 1/12/2022 at 11:00 AM in Courtroom 1506, 40 Centre Street, New York, NY 10007 before Judge Ronnie Abrams. Telephone Conference set for 12/21/2021 at 11:00 AM before Judge Ronnie Abrams. (Signed by Judge Ronnie Abrams on 11/22/2021) (mml)**

**1:21-cv-07395-RA Notice has been electronically mailed to:**

Arnold Paul Lutzker [arnie@lutzker.com](mailto:arnie@lutzker.com)

Patrick Papalia [ppapalia@archerlaw.com](mailto:ppapalia@archerlaw.com), [kcapadona@archerlaw.com](mailto:kcapadona@archerlaw.com), [mhorn@archerlaw.com](mailto:mhorn@archerlaw.com)

Christian Andrew Stueben [cstueben@archerlaw.com](mailto:cstueben@archerlaw.com), [ckesnig@archerlaw.com](mailto:ckesnig@archerlaw.com), [sbasso@archerlaw.com](mailto:sbasso@archerlaw.com)

Jeannette Maurer Carmadella [jeannette@lutzker.com](mailto:jeannette@lutzker.com)

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The following document(s) are associated with this transaction:

**Document description:**Main Document

**Original filename:**n/a

**Electronic document Stamp:**

[STAMP dcecfStamp\_ID=1008691343 [Date=11/22/2021] [FileNumber=26831163-0] [986f5f00e622296cc6cfc0c6ddafb597a5fa9b9f088f90621a32966798178a716da23fc091c3698eb8ab701d0ddf3141038e2267c8adc99048c72a84aaef445b]]

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## **EXHIBIT B**



**From:** [Papalia, Patrick](#)  
**To:** [Jeannette Carmadella](#)  
**Cc:** [Arnie Lutzker](#); [Ethan Barr](#); [Stueben, Christian A.](#); [Ethan Barr](#)  
**Subject:** RE: Activity in Case 1:21-cv-07395-RA FRHUEB, Inc v. Sabino De Freitas Abdala et al Scheduling Order  
**Date:** Wednesday, November 24, 2021 12:33:07 PM

---

Jeannette,

Plaintiff does not agree to your extension request. Plaintiff emailed you the Complaint the day it was filed, on September 2, 2021. No good reason exists as to why Defendants did not or cannot include any counterclaims in its Answer which was filed November 15, 2021. Your response below that you need discovery to reveal the basis for your counterclaim is not a valid or reasonable reason.

Regards,

**Patrick Papalia, Esq.**

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21 Main Street, Suite 353  
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212-682-4940  
[ppapalia@archerlaw.com](mailto:ppapalia@archerlaw.com)  
[www.archerlaw.com](http://www.archerlaw.com)



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**From:** Jeannette Carmadella <[jeannette@lutzker.com](mailto:jeannette@lutzker.com)>  
**Sent:** Tuesday, November 23, 2021 8:22 PM  
**To:** Papalia, Patrick <[ppapalia@archerlaw.com](mailto:ppapalia@archerlaw.com)>  
**Cc:** Arnie Lutzker <[arnie@lutzker.com](mailto:arnie@lutzker.com)>; Ethan Barr <[ethan@lutzker.com](mailto:ethan@lutzker.com)>; Stueben, Christian A. <[cstueben@archerlaw.com](mailto:cstueben@archerlaw.com)>; Ethan Barr <[ethan@lutzker.com](mailto:ethan@lutzker.com)>  
**Subject:** [EXT MAIL] RE: Activity in Case 1:21-cv-07395-RA FRHUEB, Inc v. Sabino De Freitas Abdala et al Scheduling Order

Patrick,

We plan to amend out answer to include additional facts to support our affirmative defenses and counterclaims. We require an extension of time to amend our answer because we anticipate that additional information relevant to our amendments will arise during discovery and the briefings on the Motion to Disqualify and the TRO/PI Motion. In addition, given the Court's decision to schedule the Motion to Disqualify, Opposition, and Reply in the next three weeks, the overlap requires that we first focus on the briefs ordered by the Court. For the sake of judicial efficiency, we believe the

Court would agree that it makes sense to wait until the two more urgent matters of disqualification and TRO/PI are resolved before dealing with an amended answer and any of your objections thereto.

In addition, our amended answer will include counter claims, to which your client will need to answer. So I imagine it is in your client's interest to extend the time as well. We both need to prepare for the Dec. 21 hearing. If our motion is granted, then we expect the complaint to be withdrawn and/or dismissed. This would obviously render an amended answer moot. If our motion to disqualify is denied, we will both need to prepare for the January 12 hearing. This workload makes an extension necessary so we can both focus on the issues immediately before the Court.

Please confirm whether or not you stipulate to this extension by 12pm EST tomorrow, otherwise we will request the extension from the Court. In addition, please let us know by 12pm EST tomorrow whether you agree to our proposed shortened discovery schedule on these two motions to accommodate the briefing schedule set by the Court.

Thank you,

Jeannette

---

**From:** Papalia, Patrick <[ppapalia@archerlaw.com](mailto:ppapalia@archerlaw.com)>

**Sent:** Tuesday, November 23, 2021 4:57 PM

**To:** Jeannette Carmadella <[jeannette@lutzker.com](mailto:jeannette@lutzker.com)>

**Cc:** Arnie Lutzker <[arnie@lutzker.com](mailto:arnie@lutzker.com)>; Ethan Barr <[ethan@lutzker.com](mailto:ethan@lutzker.com)>; Stueben, Christian A. <[cstueben@archerlaw.com](mailto:cstueben@archerlaw.com)>; Ethan Barr <[ethan@lutzker.com](mailto:ethan@lutzker.com)>

**Subject:** RE: Activity in Case 1:21-cv-07395-RA FRHUEB, Inc v. Sabino De Freitas Abdala et al  
Scheduling Order

Jeannette:

Please provide the basis for your request to extend your time to file an answer with your defenses and any counterclaim.

Thank you.

**Patrick Papalia, Esq.**

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---

**From:** Jeannette Carmadella <[jeannette@lutzker.com](mailto:jeannette@lutzker.com)>  
**Sent:** Tuesday, November 23, 2021 4:51 PM  
**To:** Papalia, Patrick <[ppapalia@archerlaw.com](mailto:ppapalia@archerlaw.com)>  
**Cc:** Arnie Lutzker <[arnie@lutzker.com](mailto:arnie@lutzker.com)>; Ethan Barr <[ethan@lutzker.com](mailto:ethan@lutzker.com)>; Stueben, Christian A. <[cstueben@archerlaw.com](mailto:cstueben@archerlaw.com)>; Ethan Barr <[ethan@lutzker.com](mailto:ethan@lutzker.com)>  
**Subject:** [EXT MAIL] RE: Activity in Case 1:21-cv-07395-RA FRHUEB, Inc v. Sabino De Freitas Abdala et al Scheduling Order

Patrick,

We did not resolve with the court the upcoming deadline for Defendants to amend their answer (Dec. 6). We would like an extension to amend the answer until after the PI hearing. Will you stipulate to this extension? If not, we will seek relief from the court.

Thanks,  
Jeannette

---

**From:** Jeannette Carmadella  
**Sent:** Tuesday, November 23, 2021 2:36 PM  
**To:** Papalia, Patrick <[ppapalia@archerlaw.com](mailto:ppapalia@archerlaw.com)>  
**Cc:** Arnie Lutzker <[arnie@lutzker.com](mailto:arnie@lutzker.com)>; Ethan Barr <[ethan@lutzker.com](mailto:ethan@lutzker.com)>; Stueben, Christian A. <[cstueben@archerlaw.com](mailto:cstueben@archerlaw.com)>; Ethan Barr <[ethan@lutzker.com](mailto:ethan@lutzker.com)>  
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A copy of Defendants first set of document requests are attached. They are specifically limited to the Motion to Disqualify and our Opposition to the TRO/PI Motion. We propose a response time of one week to ensure that all relevant documents are received in advance of the Dec. 3 deadline set by the Court. Please let us know if you agree to this shortened response schedule, given the circumstances. We appreciate your cooperation.

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**Cc:** Arnie Lutzker <[arnie@lutzker.com](mailto:arnie@lutzker.com)>; Ethan Barr <[ethan@lutzker.com](mailto:ethan@lutzker.com)>; Stueben, Christian A. <[cstueben@archerlaw.com](mailto:cstueben@archerlaw.com)>

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Thanks,  
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**Sent:** Monday, November 22, 2021 3:18 PM

**To:** [CourtMail@nysd.uscourts.gov](mailto:CourtMail@nysd.uscourts.gov)

**Subject:** Activity in Case 1:21-cv-07395-RA FRHUEB, Inc v. Sabino De Freitas Abdala et al Scheduling Order

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U.S. District Court

Southern District of New York

### Notice of Electronic Filing

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**Case Name:** FRHUEB, Inc v. Sabino De Freitas Abdala et al

**Case Number:** [1:21-cv-07395-RA](#)

**Filer:**

**Document Number:** [37](#)

### Docket Text:

**ORDER:** Any opposition to Plaintiff's Request for Emergency Relief, Dkt. 12, and any motion to disqualify Plaintiff's counsel shall be filed on or before December 3, 2021. Plaintiff's reply in support of its request for emergency relief and any opposition to the motion to disqualify shall be filed on or before December 9, 2021. Any reply in support of the motion to disqualify shall be filed on or before December 15, 2021. A hearing is to be held on the motion to disqualify on December 21, 2021, at 11:00 a.m. via telephone conference. The parties shall use the dial-in information provided below to call into the conference: Call-in Number: (888) 363-4749; Access Code: 1015508. This conference line is open to the public. A hearing on Plaintiff's request for emergency relief is to be held on January 12, 2022, at 11:00 a.m. in the Thurgood Marshall United States Courthouse, 40 Foley Square, Courtroom 1506. On or before January 5, 2022, the parties are to file with the Court a joint letter including a list of all witnesses they intend to call, indicating whether they

would like such witnesses to testify live or by affidavit on direct examination, and a brief summary of the substance of each witness's testimony. The letter shall also contain a list by each party of exhibits to be offered at the hearing, with an indication by exhibit number as to whether any party objects to the exhibits. The party objecting must include a brief statement that makes clear the basis for its objection and provide any necessary supporting authority. Together with such letter, the parties shall also provide a copy of each of the exhibits. SO ORDERED. Motions due by 12/3/2021. Responses due by 12/9/2021 Replies due by 12/15/2021. Case Management Conference set for 1/12/2022 at 11:00 AM in Courtroom 1506, 40 Centre Street, New York, NY 10007 before Judge Ronnie Abrams. Telephone Conference set for 12/21/2021 at 11:00 AM before Judge Ronnie Abrams. (Signed by Judge Ronnie Abrams on 11/22/2021) (mml)

**1:21-cv-07395-RA Notice has been electronically mailed to:**

Arnold Paul Lutzker [arnie@lutzker.com](mailto:arnie@lutzker.com)

Patrick Papalia [ppapalia@archerlaw.com](mailto:ppapalia@archerlaw.com), [kcapadona@archerlaw.com](mailto:kcapadona@archerlaw.com), [mhorn@archerlaw.com](mailto:mhorn@archerlaw.com)

Christian Andrew Stueben [cstueben@archerlaw.com](mailto:cstueben@archerlaw.com), [ckesnig@archerlaw.com](mailto:ckesnig@archerlaw.com),  
[sbasso@archerlaw.com](mailto:sbasso@archerlaw.com)

Jeannette Maurer Carmadella [jeannette@lutzker.com](mailto:jeannette@lutzker.com)

**1:21-cv-07395-RA Notice has been delivered by other means to:**

The following document(s) are associated with this transaction:

**Document description:**Main Document

**Original filename:**n/a

**Electronic document Stamp:**

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## **EXHIBIT C**



IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

FRHUEB INC.

Plaintiff,

v.

THIAGO SABINO DE FREITAS ABDALA  
and PRISCILA PATTO

Defendants.

Case No. 1:21-cv-7395 (RA)

**DEFENDANTS' FIRST SET OF  
REQUESTS FOR PRODUCTION  
OF DOCUMENTS TO PLAINTIFF**

**DEFENDANTS' FIRST SET OF REQUESTS FOR PRODUCTION OF DOCUMENTS  
TO PLAINTIFF**

Pursuant to Rules 26 and 34 of the Federal Rules of Civil Procedure Defendants Thiago Sabino De Freitas Abdala and Priscila Patto (“Defendants”) hereby requests that Plaintiff FRHUEB Inc. (“Plaintiff”) by its undersigned counsel, respond to the following Requests for Production of Documents by providing written responses thereto and producing for inspection and copying the documents requested herein to the offices of Defendants’ attorneys, Lutzker & Lutzker, 1233 20<sup>th</sup> St. NW, Suite 703, Washington D.C. 20036, within seven (7) days of service of this request.

**DEFINITIONS**

1. The term “**Affiliated Company**” means: (a) any company, Person or entity that is a successor-in-interest, predecessor-in-interest, subsidiary, or parent company; (b) any sole proprietorship, partnership, or other registered or unregistered business organization in which Plaintiff owns an interest and/or with which it is or has been in privity with respect to any rights or assets; or (c) any entity with which Plaintiff shares a common parent, director, or member.
2. The term “**Archer Law**” means the law firm Archer & Greiner P.C. and its current and former employees, agents, officers, directors, representatives, consultants, accountants or other Persons acting on its behalf.

3. The term “**Communication(s)**” means any oral, written or electronic transmittal or receipt of words or information, by whatever means, regardless of how or by whom the Communication was initiated. The term shall include, but not be limited to, letters, memoranda, notes, telegrams, telexes, e-mails, facsimiles, face-to-face meetings, discussions, telephone calls, instant message conversations, and all other forms of information transfer.

4. The terms “**Concern**,” “**Concerns**,” “**Concerning**,” “**Relating to**,” and the like mean concerning, evidencing, supporting, referring to, summarizing, reflecting, constituting, containing, embodying, pertaining to, involved with, mentioning, discussing, consisting of, comprising, showing, commenting upon, evidencing, describing or otherwise relevant to the subject matter.

5. The term “**Defendants**” mean the individuals Thiago Sabino De Freitas Abdala and Priscila Patto.

6. “**Document(s)**” has, to the broadest permissible extent, the same meaning as in Federal Rule of Civil Procedure 34(a), including without limitation, written, printed, typed, recorded, taped, graphic, electronically stored and/or electronically transmitted material of any kind and from any source in any form. A draft, annotated copy, or non-identical copy is a separate document within the meaning of this term, regardless of whether such document was or was not transmitted or received.

7. The term “**Person**” is defined as any natural person or any business, legal or governmental entity or association.

8. The term “**Plaintiff**,” “**You**” and “**Your**” means FR HUEB Inc. and Affiliated Companies, including current or former employees, agents, officers, directors, representatives, consultants, accountants **and attorneys** or other Persons acting on its behalf.

9. The terms “**You**,” “**Your**,” “**Yours**” and variations of those terms refer to Plaintiff, as defined above.

### **INSTRUCTIONS**

The following Instructions and clarifications apply to all requests below and should be considered as a part of each such request.

1. All objections to the production of Documents requested herein shall be made in writing and delivered to Defendants' counsel on or before the date set for production.

2. All Documents shall be produced as they are kept in the usual course of business or shall be organized and labeled to correspond to the categories requested herein.

3. These Requests call for the production of all responsive Documents in Your possession, custody or control, or in the possession, custody or control of Your employees, predecessors, successors, parents, subsidiaries, divisions, Affiliated Companies, Affiliates, partners, joint venturers, brokers, accountants, financial advisors, attorneys, representatives, agents or other Persons acting on Your behalf, without regard to the physical location of such Documents.

4. In responding to these Requests, **include Documents and obtained on Your behalf by Your counsel, employees, agents or any other Persons acting on Your behalf.** If Your response is that the Documents or are not within Your possession or custody, describe in detail the unsuccessful efforts You made to locate each such Document. If your response is that documents are not under your control, identify who has the control and the location of the documents.

5. If any Document or source of information identified in an answer to these Requests has been destroyed, then, with regard to such destruction, also State: (a) the date of such destruction; (b) the reason for such destruction; and (c) the Identity of the Person or Persons who authorized such destruction.

6. Each Request contemplates production of all Documents in their entirety. If a portion of a Document is responsive to one or more requests, the Document shall be produced in its entirety.

7. If any Document is withheld in whole or in part for any reason—including, but not limited to, a claim of privilege or other protection from disclosure, such as the work-product doctrine or other business confidentiality—set forth separately with respect to each Document:

- (a) the ground of privilege or protection claimed;
- (b) each and every basis under which the Document is withheld;
- (c) the type of Document;
- (d) its general subject matter;
- (e) the Document's date; and
- (f) other information sufficient to enable a full assessment of the applicability of the privilege or protection claims, as required by FRCP 26(b)(5), the court's local rules, and the judge's individual practice rules.

8. To the extent You assert that a Document contains both information that should be protected from disclosure and non-privileged information, the non-privileged portions of the Document must be produced. For each such Document, indicate the portion of the Document withheld by stamping the word "REDACTED" on the Document in an appropriate location that does not obscure the remaining text.

9. If there are no Documents Responsive to any particular request, You shall state so in writing.

10. Unless otherwise stated herein, all Documents herein requested are for the period of 2010 to the present.

11. These Requests shall be deemed to be continuing to the final adjudication date of these proceedings so that additional information relating in any way to Your responses which You acquire or which becomes known to You shall, in accordance with Federal Rules of Civil Procedure 26(e), be furnished to Defendant's counsel immediately after such information is acquired or becomes known.

12. For the purpose of interpreting or construing the scope of these Requests, You are instructed to give words their most expansive and inclusive meanings. You should, therefore:

- (a) construe the words “**and**” and “**or**” in the disjunctive or conjunctive, as necessary to make the request more inclusive;
- (b) construe the term “**including**” to mean “including, but not limited to;”
- (c) construe the word “**any**” to include and mean “each and every” and “any and all;”
- (d) construe the word “**each**” to include “every” as necessary to bring within the scope of these requests facts or Documents that might be construed to be outside the request;
- (e) construe the plural form of a word to include the singular and vice versa; and
- (f) construe a masculine pronoun, noun or adjective to include the feminine and vice versa.

### **REQUESTS FOR PRODUCTION**

**REQUEST FOR PRODUCTION NO. 1:** A complete copy of Defendants’ L-1 visa petitions, including but not limited to all forms, support letter(s), and supporting documents, as filed with the U.S. Citizenship and Immigration Service.

**REQUEST FOR PRODUCTION NO. 2:** All Documents and Communications between You and Defendants Concerning Defendants’ L-1 visa applications.

**REQUEST FOR PRODUCTION NO. 3:** All Documents and Communications between You, Archer Law, and Defendants Concerning Archer Law’s legal representation of Defendants.

**REQUEST FOR PRODUCTION NO. 4:** All Documents and Communications between You and Defendants Concerning use of the name HUEB in any personal or professional capacity on or before January 1, 2021.

**REQUEST FOR PRODUCTION NO. 5:** All Documents and Communications between Archer Law and Defendants Concerning Defendants’ use of the family name “Hueb” in any personal or professional capacity on or before January 1, 2021.

**REQUEST FOR PRODUCTION NO. 6:** All Documents and Communications between Archer Law and Defendants Relating to Defendants’ use of “Hueb” as a trade name.

**REQUEST FOR PRODUCTION NO. 7:** All Documents and Communications between You and Defendants Concerning the potential risks and benefits of being represented by Archer Law.

**REQUEST FOR PRODUCTION NO. 8:** All Documents and Communications between Archer Law and Defendants Concerning any waiver of conflicts of interest.

**REQUEST FOR PRODUCTION NO. 9:** All Documents and Communications between You and Defendants Concerning Archer Law’s termination of their representation of Defendants.

**REQUEST FOR PRODUCTION NO. 10:** All Documents Concerning letters of engagement between Archer Law and You.

**REQUEST FOR PRODUCTION NO. 11:** All Documents Concerning letters of engagement between Archer Law and Defendants.

**REQUEST FOR PRODUCTION NO. 12:** All Documents that support Your contention that You will suffer irreparable harm unless a temporary restraining order or preliminary injunction is granted.

**REQUEST FOR PRODUCTION NO. 13:** All Documents that support Your contention that Defendants will not suffer irreparable harm if a temporary restraining order or preliminary injunction is granted.

**REQUEST FOR PRODUCTION NO. 14:** All Documents that support Your contention in Your motion for preliminary injunction that “Defendants offer their blatantly infringing HUEB

NEW YORK products online and in person...”

**REQUEST FOR PRODUCTION NO. 15:** All Documents and Communications that support Your contention in Your motion for preliminary injunction that Defendants “are selling HUEB NEW YORK jewelry to Plaintiff’s customers.”

**REQUEST FOR PRODUCTION NO. 16:** All Documents sufficient to show Defendants’ use in commerce of the mark HUEB NEW YORK in connection with the sale of jewelry.

**REQUEST FOR PRODUCTION NO. 17:** All Documents and Communications that support Your contention that Defendants’ actions are misleading the public.

DATED: November 23, 2021

LUTZKER & LUTZKER LLP

By: /s/ *jeannettemcarmadella*  
JEANNETTE MAURER CARMADELLA  
ARNOLD P. LUTZKER  
Attorneys for Defendants

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 23rd day of November 2021, a copy of the foregoing Defendants' First Set of Document Requests to Plaintiff was served by email upon the following counsel of record:

Patrick Papalia, Esq.  
Archer & Greiner P.C  
Court Plaza South, West Wing  
21 Main Street, Suite 353  
Hackensack, NJ 07601  
201-498-8504  
[ppapalia@archerlaw.com](mailto:ppapalia@archerlaw.com)

Christian A. Stueben, Esq.  
Archer & Greiner P.C.  
Court Plaza South, West Wing  
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Hackensack, NJ 07601-7095  
201-498-8512 (Ext. 7512)  
[cstueben@archerlaw.com](mailto:cstueben@archerlaw.com)

/s/ *jeannettemcarmadella*  
Jeannette Maurer Carmadella